

pulegone, terpinen-4-ol, terpinyl acetate, 4-tert butylcyclohexyl acetate, thyme oil, thymol, metabolites of trans-anethole, vanillin, and ethyl vanillin.--

--14. [NEW] The pesticidal composition of claim 13, wherein the compound is selected from the group consisting of  $\alpha$ -terpineol, benzyl alcohol, eugenol, iso-eugenol, 1- or 2-phenyl ethyl alcohol, 1- or 2-phenyl ethyl propionate, and thymol.--

--15. [NEW] The pesticidal composition of claim 7, wherein the compound is selected from the group consisting of  $\alpha$ -terpineol, benzyl alcohol, eugenol, iso-eugenol, 1- or 2-phenyl ethyl alcohol, 1- or 2-phenyl ethyl propionate, and thymol.--

### REMARKS

The specification and claims 1 and 7 are amended. Claims 2-6 and 8-10 are canceled without prejudice or disclaimer. Claims 13-15 are added. Claims 1, 7, and 11-15 are pending. No new matter has been added.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version With Markings To Show Changes Made."

The Office Action asserts that certain "PBO," "Microcel E," "Hi Sil 233," "DE" and "S-1080" are unclear. In response, Applicant respectfully submits that these terms would be readily known by one of skill in the art. However, solely in an effort to advance prosecution, Applicant has amended the specification to overcome this rejection..

The Office Action rejects claims 7-10 and 12 under 35 U.S.C. 112, first paragraph, allegedly because the specification does not enable any person skilled in the art to make and use the invention commensurate in scope with the claims. In response, Applicant respectfully submits that one of skill in the art could readily practice the invention as

originally claimed without undue experimentation. However, solely in an effort to advance prosecution, Applicant has amended the claims to overcome this rejection.

The Office Action rejects claims 1-12 under 35 U.S.C. 112, second paragraph, for allegedly failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Regarding the term "derivatives," Applicant respectfully submits that originally-filed claims are clear and definite. However, solely in an effort to advance prosecution, Applicant has amended the claims to overcome this aspect of the rejection by deleting the term "or derivatives"

Regarding claims 3, 6, and 9, the Office Action asserts that the recited markush groups are improper because not all members are "plant essential oils." In response, Applicant respectfully submits that the markush groupings are proper. However, solely in an effort to advance prosecution, Applicant has amended the claims by deleting the term "plant essential oil" to overcome this aspect of the rejection.

Regarding the term "synergist," Applicant has amended claim 7 to replace "synergist" with "piperonyl butoxide" to overcome this aspect of the rejection.

In view of the above comments, Applicant respectfully requests reconsideration and withdrawal of this rejection under 35 U.S.C. 112, second paragraph.

The Office Action rejects claims 1-6 under 35 U.S.C.(b) as being anticipated by Kubota (JP 04091003-A). Applicant respectfully traverses this rejection.

As acknowledged in the Office Action, Kubota merely discloses eugenol as an effective dust mite controlling agent. Kubota, however, does not disclose the invention, as presently recited in the rejected claims, i.e., a pesticidal composition containing **at least two compounds** selected from the group consisting of aldehyde C16 (pure),  $\alpha$ -terpineol, amyl

cinnamic aldehyde, amyl salicylate, anisic aldehyde, benzyl alcohol, benzyl acetate, cinnamaldehyde, cinnamic alcohol, carvacrol, carveol, citral, citronellal, citronellol, p-cymene, diethyl phthalate, dimethyl salicylate, dipropylene glycol, eucalyptol (cineole) eugenol, iso-eugenol, galaxolide, geraniol, guaiacol, ionone, menthol, menthyl salicylate, methyl anthranilate, methyl ionone, methyl salicylate,  $\alpha$ -phellandrene, pennyroyal oil perillaldehyde, 1- or 2-phenyl ethyl alcohol, 1- or 2-phenyl ethyl propionate, piperonal, piperonyl acetate, piperonyl alcohol, D-pulegone, terpinen-4-ol, terpinyl acetate, 4-tert butylcyclohexyl acetate, thyme oil, thymol, metabolites of trans-anethole, vanillin, and ethyl vanillin. Thus, Kubota does not teach each and every element of the claimed invention. Reconsideration and withdrawal of this rejection are respectfully requested.

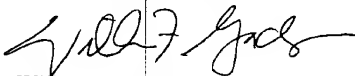
The Office Action rejects claims 1-6 under 35 U.S.C. 102(e) as being anticipated by Bessette et al. and rejects claims 1-6 and 11 under 35 U.S.C. 103 as being obvious over Bessette et al. Applicant respectfully traverses these rejections.

As acknowledged in the Office Action, Bessette teaches methods for controlling insects using the disclosed pesticidal mixtures. However, Applicant respectfully submits that Bessette does not disclose, suggest or provide any motivation to one of ordinary skill in the art to reach the specific pesticidal compositions, as presently recited in the rejected claims, let alone methods for using the claimed pesticidal compositions. Thus, Applicant respectfully request reconsideration and withdrawal of this rejection.

Early consideration and prompt allowance of the pending claims are respectfully requested. If anything could be done to place this application in condition for allowance, e.g., by Examiner's Amendment, Applicants respectfully request that the Examiner contact the undersigned representative at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Willem F. Gadiano', written in a cursive style.

Willem F. Gadiano  
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ATTACHMENT"Version With Markings To Show Changes Made."IN THE SPECIFICATIONPage 9, lines 21-25 have been replaced, as follows:

--Test chemicals: The efficacy of five different dusts was tested against dust mites. These dusts are as follows:

PEA = phenethyl alcohol;

PEP = phenethyl propionate;

PMO = peppermint oil

Microcel E = a clay-based flow agent that prevents wettable powders from caking during storage manufactured by World Minerals, Lampoc, Calif.

DE = diatomaceous earth, an inert material

Hi Sil 233 = a hydrated silica absorbent material made by PPG Corp

S-1080 = resin emulsions manufactured by Shin-Nakamura Chemical Co., Ltd--

Page 10, line 35, has been replaced, as follows:

--test actives were tested with and without 2 parts of piperonyl butoxide (PBO), known synergist--.

IN THE CLAIMS

1. [AMENDED] A contact and repellent pesticidal composition for the control of house dust mites comprising, in admixture with an acceptable carrier, at least one two plant essential oil compound compound or derivative thereof selected from the group consisting of aldehyde C16 (pure),  $\alpha$ -terpineol, amyl cinnamic aldehyde, amyl salicylate, anisaldehyde, benzyl alcohol, benzyl acetate, cinnamaldehyde, cinnamic alcohol, carvacrol, carveol, citral, citronellal, citronellol, p-cymene, diethyl phthalate, dimethyl salicylate, dipropylene glycol, eucalyptol (eucneole) eugenol, iso-eugenol, galaxolide, geraniol, guaiacol, ionone, menthol, menthyl salicylate, methyl anthranilate, methyl ionone, methyl salicylate,  $\alpha$ -phellandrene, pennyroyal oil, perillaldehyde, 1- or 2-phenyl ethyl alcohol, 1- or 2-phenyl ethyl propionate, piperonal, piperonyl acetate, piperonyl

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alcohol, D-pulegone, terpinen-4-ol, terpinyl acetate, 4-tert butylcyclohexyl acetate, thyme oil, thymol, metabolites of trans-anethole, vanillin, and ethyl vanillin.

2. [CANCELED]

3. [CANCELED]

4. [CANCELED]

5. [CANCELED]

6. [CANCELED]

7. [AMENDED] ~~A contact and repellent~~ A contact and repellent ~~pesticidal composition for the control of house dust mites comprising, piperonyl butoxide in admixture with an acceptable carrier, at least one plant essential oil compound or derivative thereof with a synergist selected from the group consisting of aldehyde C16 (pure),  $\alpha$ -terpineol, amyl cinnamic aldehyde, amyl salicylate, anisic aldehyde, benzyl alcohol, benzyl acetate, cinnamaldehyde, cinnamic alcohol, carvacrol, carveol, citral, citronellal, citronellol, p-cymene, diethyl phthalate, dimethyl salicylate, dipropylene glycol, eucalyptol (cineole) eugenol, iso-eugenol, galaxolide, geraniol, guaiacol, ionone, menthol, menthyl salicylate, methyl anthranilate, methyl ionone, methyl salicylate,  $\alpha$ -phellandrene, pennyroyal oil perillaldehyde, 1- or 2-phenyl ethyl alcohol, 1- or 2-phenyl ethyl propionate, piperonal, piperonyl acetate, piperonyl alcohol, D-pulegone, terpinen-4-ol, terpinyl acetate, 4-tert butylcyclohexyl acetate, thyme oil, thymol, metabolites of trans-anethole, vanillin, and ethyl vanillin.~~

8. [CANCELED]

9. [CANCELED]

10. [CANCELED] ~~The pesticidal composition of claim 7 wherein the synergist is piperonyl butoxide.~~

13. [NEW] A pesticidal composition for the control of house dust mites comprising, in admixture with an acceptable carrier, at least one compound selected from the group consisting of aldehyde C16 (pure),  $\alpha$ -terpineol, amyl cinnamic aldehyde, amyl salicylate, anisic aldehyde, benzyl alcohol, benzyl acetate, cinnamaldehyde, cinnamic alcohol, carvacrol, carveol, citral, citronellal, citronellol, p-cymene, diethyl phthalate, dimethyl salicylate, dipropylene glycol, eucalyptol (cineole), galaxolide, geraniol,

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guaiacol, ionone, menthol, menthyl salicylate, methyl anthranilate, methyl ionone, methyl salicylate,  $\alpha$ -phellandrene, pennyroyal oil, perillaldehyde, 1- or 2-phenyl ethyl alcohol, 1- or 2-phenyl ethyl propionate, piperonal, piperonyl acetate, piperonyl alcohol, D-pulegone, terpinen-4-ol, terpinyl acetate, 4-tert butylcyclohexyl acetate, thyme oil, thymol, metabolites of trans-anethole, vanillin, and ethyl vanillin.

14. [NEW] The pesticidal composition of claim 13, wherein the plant essential oil is selected from the group consisting of  $\alpha$ -terpineol, benzyl alcohol, eugenol, iso-eugenol, 1- or 2-phenyl ethyl alcohol, 1- or 2-phenyl ethyl propionate, and thymol.

15. [NEW] The pesticidal composition of claim 7, wherein the plant essential oil is selected from the group consisting of  $\alpha$ -terpineol, benzyl alcohol, eugenol, iso-eugenol, 1- or 2-phenyl ethyl alcohol, 1- or 2-phenyl ethyl propionate, and thymol.